

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: February 7, 2023 **FILE:** 22-CMV-58

TO: Historic Preservation Board

VIA: Andria Wingett, Assistant Director

FROM: Carmen Diaz, Planning Administrator

SUBJECT: Colonelmsc Enterprises, LLC and Bravo Investments & Rentals, LLC request a Certificate of Appropriateness for Demolition, a Certificate of Appropriateness for Design, and Variances to build a new duplex located at 301 Oregon Street, within the Hollywood Beach Historic Overlay District.

APPLICANT'S REQUEST

Certificate of Appropriateness for Demolition, Certificate of Appropriateness for Design, and Variances for a duplex located at 301 Oregon Street, within the Hollywood Beach Historic Overlay District.

Variance 1: Reduce the required setbacks for the base and tower building on the south (cross street) and north (interior side) and increase the balcony encroachment from 25% to 75%.

Variance 2: Increase the number of parking spaces from 3 to 4 parking spaces.

STAFF'S RECOMMENDATION

Certificate of Appropriateness for Demolition: To be determined by the Historic Preservation Board.

Variances 1 & 2: Approval, if Certificate of Appropriateness for Demolition is granted.

Certificate of Appropriateness for Design: Approval, if Certificate of Appropriateness for Demolition and Variances are granted.

BACKGROUND

The subject property is located at 301 Oregon Street and contains an existing two-story multi-family building, approximately 1,907 square feet in floor area, that was originally constructed in 1939 (based on the Broward County Property Appraiser records) and altered numerous times since construction. The lot is surrounded by residential uses (single family and multi-family) to the north, west and south, and

Hollywood Beach and boardwalk to the east. The property has street frontage to S. Surf Rd on its west side and Oregon Street on its south side.

The proposed new duplex aims to introduce a more modern design to the locality, emphasizing views to the ocean and intracoastal.

REQUEST

The Applicant requests a Certificate of Appropriateness for Demolition of the existing building, variances for setbacks and parking and a Certificate of Appropriateness for Design for an approximately 6,389 square foot, 4-story duplex.

The feasibility study provided by the Applicant states that several components of the building are below FEMA Base Flood Elevation requirements (B.F.E) and wood framing and masonry walls are aging and showing signs of deterioration. The report determines that the proposed improvements will trigger requirements to raise the floor levels to meet FEMA B.F.E and that maintaining any portions of the existing building is counterproductive when such improvements are required to facilitate use as a duplex.

The report concludes as follows:

- The current structural and building condition are beyond state of obsolescence to be considered useful for a continued use for a renovation, addition or upgraded building project.
- The quality of lifestyle will be greatly compromised as a result of maintaining the existing building as opposed to a new construction project.
- The insurability and property value can only be secured by providing a new higher finish floor with a new building.
- A new building construction project is the required method to achieve full use and enjoyment of the property.

The proposed duplex residence sits on a narrow, 40' wide lot and will have vehicular access to a first-floor parking area via Oregon Street. The proposed development consists of two dwelling units, one accommodating on the second floor and the other accommodating the third and fourth floors. Rooftop amenities include a pool, sitting / outdoor kitchen area.

The following variances are also being requested:

1. Setback Encroachments:
 - a. Interior Side (north)
 - Base: Required: 10'-0" Provided: 0'-0"
 - Tower: Required: 10'-0" Provided: 0'-0"
 - b. Cross Street (south – Oregon St.)
 - Base: Required: 10'-0" Provided: 5'-0"
 - Tower: Required: 20'-0" Provided: 10'-0"
 - c. Balcony Encroachment
 - Allowed 25% encroachment of the required setback or 6' max: 3'-9"
 - Provided encroachment 11'-1" to 11'-5" (75%)

2. Parking – to increase the maximum number of parking spaces on-site from 3 spaces to 4 spaces. Residential uses require a minimum of 1 space per dwelling unit and maximum of 1.5 spaces per dwelling unit. The proposed duplex required a maximum of 3 parking spaces, whereas 4 parking spaces are proposed.

Other than requested variances, the proposed development meets all applicable requirements of the Zoning and Land Development Regulations.

The proposed development has a modern-contemporary style. The proposed materials are compatible and consistent in quality, color, texture, finish, and dimension to other properties in the historic district. The design utilizes a neutral palette of smooth and scored stucco, as well as raw concrete finishes, as well as aluminum louvers with wood finish and glass railings and guardrails on the balconies. Additionally, the proposed landscaping will enhance the ambience achieved by the proposed design, allowing for visibility and framing of the property.

The Historic Preservation Board is guided by the Secretary of the Interior's Standards for Rehabilitation and the City of Hollywood's Design Guidelines for Historic Properties and Districts. These documents offer design controls for materials, scale, massing, and location for all properties within the district. The proposed home is consistent with the character of the Hollywood Beach Historic Overlay District and the design maintains the spatial relationship with surrounding properties in its scale and massing.

SITE BACKGROUND

Applicant/Owner:	Colonelmsc Enterprises, LLC and Bravo Investments & Rentals, LLC
Address/Location:	301 Oregon Street, Hollywood, Florida, 33019
Size of Property:	3,186 sq. ft. (0.07 acres)
Present Zoning:	Broadwalk Historic District Residential (BWK-25-HD-R) Hollywood Beach Historic Overlay District (HPOD-3)
Present Land Use:	Medium High (25) Residential (MHRES)
Present Use of Land:	Multi-family residential (triplex)
Year Built:	1939 (BCPA)

ADJACENT ZONING

North:	Broadwalk Historic District Residential (BWK-25-HD-R) Hollywood Beach Historic Overlay District (HPOD-3)
South:	Broadwalk Historic District Residential (BWK-25-HD-R) Hollywood Beach Historic Overlay District (HPOD-3)
East:	Broadwalk Historic District Residential (BWK-25-HD-R) Hollywood Beach Historic Overlay District (HPOD-3)
West:	Beach Resort Residential District (BRT-25-R)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Within the Comprehensive Plan, the primary goal of the Land Use Element is to *promote a distribution of land uses that will enhance and improve the residential, business, resort and natural communities while allowing the land owners to maximize the use of their property.*

The proposed design is consistent with the scale and massing of the adjacent neighborhood, while allowing the Applicant to maximize the use of their property. By allowing the Applicant to construct a new, modern development, the City is accomplishing the desired reinvestment in the Hollywood Beach Historic Overlay District and Hollywood Beach Community Redevelopment Agency CRA) area.

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The City-Wide Master Plan (CWMP) places a priority on protecting, preserving and enhancing residential neighborhoods. It addresses the need for strict design controls to maintain the individual character of each neighborhood. The proposed new duplex and improvements are sensitive to the character of the Hollywood Beach Sub-Area (Sub-Area 4) through its design which possess similar characteristics to existing structures in the surrounding neighborhood, whilst also providing a catalyst for redevelopment of the area.

Policy CW.15: Place a priority on protecting, preserving, and enhancing residential neighborhoods.

Policy 4.1: Recognize and protect the unique character of Hollywood Beach and each of the three areas that comprise it; North, Central, and South Beach; and provide a clear vision for creating a more harmonious and attractive community.

Policy 4.34: Work within the framework of the Beach CRA to implement the Master Plan vision for Hollywood Beach within the CRA boundaries.

Policy 4.36: Identify obsolete structures and work to have them demolished and redeveloped, while preserving buildings of historical value.

APPLICABLE CRITERIA

Decisions on Certificates of Appropriateness for Demolition. Based on the following criteria and other appropriate considerations, the Board must determine if the building is of historic significance. The Zoning and Land Development Regulations does not provide guidance as to how much weight should be given to each criterion as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

CRITERION 1: Association with events that have made a significant contribution to the broad patterns of our history.

CRITERION 2: Association with the lives of persons significant in our past.

CRITERION 3: Embodiment of distinctive characteristics of a type, period, or method of construction.

CRITERION 4: Possession of high artistic values.

CRITERION 5: Representation of the work of a master.

CRITERION 6: Representation of a significant and distinguishable entity whose components may lack individual distinction.

CRITERION 7: Yield, or the likelihood of yielding information important in prehistory or history.

Analysis of criteria and finding for Certificate of Appropriateness for Demolition as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

CRITERION 1: The building, structure, improvement, or site is designated on either a national, state, or local level as an historic preservation district or an architectural landmark or site.

ANALYSIS: The Historic District Design Guidelines recommend *identifying, retaining and preserving buildings which are important in defining the overall historic character of a historic district or neighborhood*. The original building was built in 1939 and is located within the Hollywood Beach Historic Overlay District. The Applicant has not indicated any historical merit in their study of the property.

CRITERION 2: The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

ANALYSIS: The Applicant desires to redevelop the property as a duplex which will take advantage of the site's beachfront location. This would require a major renovation to the existing structure and will have challenges to overcome due to existing structural conditions and requirements to meet required base flood elevation regulations. This will be non-feasible, as it will result in a great difficulty and expense for a structure that does not exemplify any specific craftsmanship or detailing.

CRITERION 3: The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region.

ANALYSIS: The Historic District Design Guidelines allow for the removal of *non-significant buildings, additions, or site features which detract from the historic character of a site or the surrounding district or neighborhood*. As previously stated, the existing building was originally constructed in 1939 and does not exhibit any significant architectural style as indicated by the Design Guidelines for Historic Properties and Districts.

CRITERION 4: The building, structure, improvement, or site contributes significantly to the historic character of a historically designated district.

ANALYSIS: Staff finds the existing building does not exhibit any substantial historic character that could be considered to significantly contribute to the character of the district.

CRITERION 5: Retention of the building, structure, improvement, or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage.

ANALYSIS: As stated hereinabove, the existing building does not embody a structure steeped in architectural style or historical character that would provide an opportunity for study of local history, architecture, or design. Should the Board approve the demolition, it may request that the Hollywood Historical Society, or the owner, at the owner's expense, document and record the existing home for archival records. Such documentation may include measured drawings and high-definition photography.

CRITERION 6: There are definite plans for reuse of the property if the proposed demolition is carried out, and those plans will adversely effect on the historic character of the Historic District.

ANALYSIS: The Applicant is proposing to demolish the existing building and construct a new , 4-storey duplex on the property. The proposed design is consistent with the scale and massing of the surrounding area. The proposed development is modern-contemporary and functional, allowing the Applicant to maximize the use of their property. Required parking is accommodated on-site. As such, the proposed redevelopment of the property, if the demolition is approved, will improve the character of the area.

CRITERION 7: The Unsafe Structures Board has ordered the demolition of a structure, or the feasibility study determines that the retention of the building would deny the owner of all economically viable uses of the property.

ANALYSIS: The Unsafe Structures Board has not ordered the demolition of this building. However, significant improvements, including demolition and restoration of deteriorated components and increasing the finished floor elevation to meet FEMA’s regulatory heights, impede the owner’s ability to move forward with a design in a manner that is financially feasible or sound. The reinvestment in the property without the freedom of design for a property that does not represent a Period of Significance or possess historic merit would be an undue burden for the Applicant. Therefore, the Applicant purports that restoring the existing building is not a feasible option and is proposing a new development to enhance the property in a manner consistent with the goals of the district.

CRITERION 8: The information listed in the Historic Properties Database (a listing of historic and non-historic properties) has been considered as a guideline in determining whether a Certification of Appropriateness for Demolition should be issued.

ANALYSIS: The Applicant has not identified any historic merit to the existing building in their application. The property is not individually designated, and a Master Site File is not available for the existing structure.

Analysis of Criteria and Findings for a Variance as stated in the City of Hollywood’s Zoning and Land Development Regulations, Article 5.

Variance 1: To allow the following setback variances:

1. Interior Side (north)
 - a. Base: Required: 10’-0” Provided: 0’-0”
 - b. Tower: Required: 10’-0” Provided: 0’-0”
2. Cross Street (south – Oregon Street)
 - a. Base: Required: 10’-0” Provided: 5’-0”
 - b. Tower: Required: 20’-0” Provided: 10’-0”
3. Balcony Encroachment

- a. Maximum allowed encroachment into the required yard of 25%, up to a maximum of 6 feet: 3'-9"
- b. Provided encroachment: 11'-1" to 11'-5" (75%)

CRITERIA 1: That the requested Variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city.

ANALYSIS: The subject property is a narrow, 40' wide x 80' deep, corner lot. Strict compliance with the setback regulations on such a small lot makes redevelopment for a permitted use challenging. The proposed variances will facilitate redevelopment within the beach area. The design provides articulation and architectural relief in its design, and utilizes a variety of finishes and materials, breaking up the mass of the building. As such, the requested variances still meet the intention of the regulations and do not affect the stability or appearance of the city.

FINDING: Consistent.

CRITERIA 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

ANALYSIS: The requested variance will provide for a design that will be compatible with, and enhance, the surrounding medium and higher density residential land uses. The proposed development is a modern-contemporary design that will contribute to the vision of the Hollywood Beach Historic Overlay District and CRA area.

FINDING: Consistent.

CRITERIA 3: That the requested Variance is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan, as amended from time to time, the applicable Neighborhood Plan and all other similar plans adopted by the city.

ANALYSIS: The goal of the Land Use Element *is to promote a distribution of land uses enhancing and improving the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property*. In order to construct a residential development on such a small lot, that will still meet the needs of future occupants, the variances are necessary.

FINDING: Consistent.

CRITERIA 4: That the need for the requested Variance is not economically based or self-imposed.

ANALYSIS: The Applicant is proposing a compact development on a small corner lot which presents physical constraints that make compliance with all property development difficult. Therefore, the requested Variance is not economically based and better serves the intent of the applicable regulations.

FINDING: Consistent.

CRITERIA 5: That the Variance is necessary to comply with state or federal law and is the minimum Variance necessary to comply with the applicable law.

FINDING: Not applicable.

Variance 2: **To allow an increase in the maximum number of parking spaces from 3 spaces to 4 spaces.**

CRITERIA 1: That the requested Variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city.

ANALYSIS: The subject property requires a maximum of 3 on-site parking spaces be provided (1.5 spaces per unit), whereas the Applicant is proposing 4 on-site spaces to serve the development. Staff finds that the requested variance maintains the basic intent of the regulation and will have a minimal impact on the appearance of the City. All parking is proposed to be provided on the ground floor and screened from public view. For the scale of development proposed (which includes one two story unit and one single story unit) the amount of proposed parking is suitable to serve the needs of the residents.

FINDING: Consistent.

CRITERIA 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

ANALYSIS: The requested variance will provide all parking on-site and will not create incompatibility with any surrounding land uses nor detrimental to the surrounding community.

FINDING: Consistent.

CRITERIA 3: That the requested Variance is consistent with and in furtherance of the Goals, Objectives and Policies of the adopted Comprehensive Plan, as amended from time to time, the applicable Neighborhood Plan and all other similar plans adopted by the city.

ANALYSIS: The goal of the Land Use Element *is to promote a distribution of land uses enhancing and improving the residential, business, resort, and natural communities while allowing landowners to maximize the use of their property*. In order to achieve a compact development in a form that will enhance the community and provide safety and service to the residents, the variance is necessary.

FINDING: Consistent.

CRITERIA 4: That the need for the requested Variance is not economically based or self-imposed.

ANALYSIS: The Applicant is proposing a compact development on a small corner lot which presents challenges for providing on-site parking. Combined with the need to elevate floor levels above base flood elevation, the property lends itself to providing all parking under the

proposed building. Therefore, the requested Variance is not economically based and better serves the intent of the applicable regulations.

FINDING: Consistent.

CRITERIA 5: That the Variance is necessary to comply with state or federal law and is the minimum Variance necessary to comply with the applicable law.

FINDING: Not applicable.

Analysis of criteria and finding for Certificate of Appropriateness of Design as stated in the City of Hollywood's Zoning and Land Development Regulations, Article 5.

CRITERION: INTEGRITY OF LOCATION

ANALYSIS: Design Guidelines recommend maintaining *consistent spacing and setbacks* and further state *new construction should be compatible with existing buildings*. The intent of the Applicant is to design a livable space by replacing the existing structure with a new duplex that maximizes the natural benefit of the location while complying with regulations to the greatest extent possible given the relatively small size of the lot. Being only 40 feet wide and situated on a corner, any redevelopment of the property would face challenges adhering to all zoning regulations. Additionally, the design is of a scale that is consistent with the built form of the surrounding area, which consists of a range of medium and higher density residential uses.

FINDING: Consistent.

CRITERION: DESIGN

ANALYSIS: The Historic District Design Guidelines encourages new construction to be compatible with the character of the neighborhood regarding scale, materials, texture, and color. The design element of scale relates to the size of the building components or spaces relative to the human body as well as to the larger context relative to the surrounding buildings, streetscape, and environment. The proposed design aims to deliver a cohesive architectural style. The Applicant is proposing a design that is modern-contemporary and offers a cohesive and well-defined architectural style that will serve as a catalyst for future development in the area.

FINDING: Consistent

CRITERION: SETTING

ANALYSIS: As stated in the Design Guidelines, *"...setting is the relationship of buildings within the Historic District and the surrounding site and neighborhood."* The proposed development demonstrates compatibility with the neighborhood and does not disrupt the relationship to other buildings within the Hollywood Beach Historic Overlay District.

FINDING: Consistent.

CRITERION: MATERIALS

ANALYSIS: Design Guidelines state materials are an important part of the fabric of any historic district or property and help to maintain the historic character of the place. Furthermore, materials are compatible in quality, color, texture, finish, and dimension to those that are in the historic district should be used. The design utilizes a neutral palette of smooth and scored stucco, as well as raw concrete finishes, as well as aluminum louvres with wood finish and glass railings and guardrails on the balconies. Additionally, the proposed landscaping will enhance the design, allowing visibility and framing of the property.

FINDING: Consistent.

CRITERION: WORKMANSHIP

ANALYSIS: The Design Guidelines recommend consideration of significant materials before undergoing rehabilitation of a historic structure or property. Materials of the addition are sensitive in design and nature to the home and adjacent properties. The design of the new duplex is consistent with current workmanship styles and methods in the area.

FINDING: Consistent.

CRITERION: ASSOCIATION

ANALYSIS: Design Guidelines recommend maintaining *consistent spacing and setbacks* and further state *new construction should be compatible with existing buildings... Within the context of historic preservation, elements of design such as massing, scale and rhythm reflect architectural style as well as the richness of the historic district*. Although the applicant is requesting relief from the setback requirement in the Code, the lot is narrow (only 40 feet in width) and small in area, as are many of the developed lots in the beachfront area. The proposed design is consistent with the scale and massing of the adjacent neighborhood.

FINDING: Consistent.

ATTACHMENTS

ATTACHMENT A: Application Package

ATTACHMENT B: Aerial Photograph